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APPLICATION NUMBER FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/772,782

02/05/2004

Richard B. Streeter

VIA-8

CONFIRMATION NO. 2373

Date Mailed: 05/05/2004

FORMALITIES LETTER

OC00000012540213

Mark J. Pandiscio Pandiscio & Pandiscio 470 Totten Pond Road Waltham, MA 02154



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

 A replacement abstract not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) and 37 CFR 1.121 is required.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$450 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

09/14/2004 MBELETE1 00000008 10772782

01 FC:2001

385.00 OP

Replies should be mailed to:

Mail Stop Missing Parts

02 FC:2051

65.00 OP

Commissioner for Patents

P.O. Box 1450 Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard B. Streeter et al.

Serial No.:

10/772,782

Filing Date:

02/05/2004

For:

INTRAVASCULAR FILTER WITH DEBRIS

ENTRAPMENT MECHANISM

Group Art Unit No.:

3736

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED

WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, Attorney's Docket No.: VIA-8 CON POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER

FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

September 7, 2004 (DATE OF DEPOSIT)

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

James A. Sheridan

September 7, 2004

Sir:

(DATE OF SIGNATURE)

RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED

In response to the outstanding NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, Applicant hereby respectfully submits the following:

An Abstract that does not exceed 150 words in length, commencing on a separate sheet;

- (2) a duplicate copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILING DATE GRANTED, as requested in the Notice;
- (3) one (1) check in the amount of \$65.00 to cover the surcharge for the late filing of the Declaration, this charge having been calculated on the basis of Small Entity status; and
- (4) one (1) check in the amount of \$385.00 to cover the Statutory Basic Filing Fee, this charge having been calculated on the basis of Small Entity status.

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

Respectfully submitted,

James A. Sheridan

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